

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SCOTT BLAIR,

Plaintiff,

v.

Case No. 1:16-cv-03391-PAE

ALSTOM TRANSPORTATION, INC.
AND KAWASAKI RAIL CAR, INC.,

Defendants.

EXPERT DECLARATION OF JACK R. LONG

I. INTRODUCTION

1. I, Jack Long, have been retained by counsel for Plaintiff Scott Blair (“Blair” or “Plaintiff”).

2. I submit this declaration in support of Plaintiff’s Opening Claim Construction Brief.

II. QUALIFICATIONS

3. I hold a Bachelor of Science degree in Metallurgical Engineering from the University of Missouri.

4. I was an Officer in the US Army Corps of Engineers with two years active duty as Lieutenant and five years reserve duty as a Captain.

5. I have over 35 years of experience in various engineering, sales, and international positions, including as Chief Engineer and Senior VP International.

6. I have supervised a staff of over 40 professionals in design engineering, testing, field service engineering and drafting.

7. I am a recognized expert in the design and engineering of rolling stock including locomotive, passenger and freight vehicles (“rail cars”) and their components and other areas of engineering and material science.

8. I headed the sales and service engineering functions for proprietary rolling stock equipment.

9. I was the transportation sales manager for a railway equipment company, and worked with major metro agencies and rolling stock builders.

10. I was a program manager for designing and building the Washington D.C. metro cars.

11. I am the inventor of eight issued United States Patents relating to the design and engineering of rolling stock, their components and related devices.

12. I was a Chief engineer for railway proprietary freight and passenger equipment.

13. I have written and presented professional technical papers in seven countries and have been granted at least eight U.S. Patents for various railway related engineering products.

14. I am an inventor of U.S. Patent 9,395,276 entitled, “Method and system for detection and analysis of railway bogie operational problems.”

15. I am an inventor of U.S. Patent 6,422,154 entitled, “Three-piece railway truck frame having a selectively removable bolster.”

16. I am an inventor of U.S. Patent 6,142,081 entitled, “Pedestal rocker seat for providing passive axle steering to a rigid railway truck.”

17. I am an inventor of U.S. Patent 5,507,400 entitled, “Slackless drawbar or coupler with swivel mounting.”

18. I am an inventor of U.S. Patent 5,463,964 entitled, “Rocker seat connection.”

V. OPINIONS

26. Based on my review of U.S. Pat. No. 6,700,602 and *Ex Parte Reexamination Certificate* (10487th) (“the ‘602 Patent”), including the specification, claims, prosecution history, and reexamination and appeal record, in my opinion one of ordinary skill in the art would be informed of and understand the meaning of the terms and phrases identified by Defendants Alstom and Kawasaki as indefinite with reasonable certainty.

27. Based on my review of U.S. Pat. No. 6,700,602 and *Ex Parte Reexamination Certificate* (10487th) (“the ‘602 Patent”), including the specification, claims, prosecution history, and reexamination and appeal record, it is my opinion that one of ordinary skill in the art would understand the ordinary and customary meaning of the terms and/or phrases Defendants propose construction for and no additional definitions or constructions of their proposed terms would be necessary.

VI. COMPENSATION

28. Although I am compensated for the time I work on this litigation, this compensation is not dependent on the outcome of this proceeding.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on April 14, 2017.

Dated: April 14, 2017



Jack R. Long